

**Introduced by Senator Evans
(Coauthor: Senator Wyland)**

February 12, 2014

An act to amend Section 10609.4 of the Welfare and Institutions Code, relating to juveniles.

LEGISLATIVE COUNSEL'S DIGEST

SB 996, as introduced, Evans. Juveniles: Independent Living Program.

Existing law requires the State Department of Social Services to develop statewide standards for the Independent Living Program for emancipated foster youth and eligible former dependent children of the juvenile court established and funded pursuant to federal law, to assist those individuals in making the transition to self-sufficiency. Existing law requires, consistent with federal law and reporting requirements, each county department of social services to submit to the State Department of Social Services an annual Independent Living Program report, which is required to include, among other things, an accounting of federal and state funds expended for implementation of the program. Existing law requires that expenditures be related to the specific purposes of the program. Under existing law, authorized program purposes may include, among other things, providing training in daily living skills, budgeting, locating and maintaining housing, and career planning.

This bill would specify that providing financial literacy training, including, but not limited to, banking, credit card interest rates, credit scores, the importance of savings, and the effects financial decisions can have on a youth's future, is also an authorized purpose.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 10609.4 of the Welfare and Institutions Code is amended to read:

10609.4. (a) On or before July 1, 2000, the State Department of Social Services, in consultation with county and state representatives, foster youth, and advocates, shall do both of the following:

(1) Develop statewide standards for the implementation and administration of the Independent Living Program established pursuant to the federal Consolidated Omnibus Budget Reconciliation Act of 1985 (Public Law 99-272).

(2) Define the outcomes for the Independent Living Program and the characteristics of foster youth enrolled in the program for data collection purposes.

(b) Consistent with federal law and reporting requirements, each county department of social services shall submit to the department an annual Independent Living Program report, which shall include the following:

(1) An accounting of federal and state funds expended for implementation of the program. A county shall spend no more than 30 percent of federal Independent Living Program funds on housing. Expenditures shall be related to the specific purposes of the program. It is the intent of the Legislature that the department, in consultation with counties, shall develop a process for reporting that satisfies federal law and reporting requirements. Program purposes may include, but are not limited to, all of the following:

(A) Enabling participants to seek a high school diploma or its equivalent or to take part in appropriate vocational training, and providing job readiness training and placement services, or building work experience and marketable skills, or both.

(B) Providing training in daily living skills, budgeting, locating and maintaining housing, and career planning.

(C) Providing for individual and group counseling.

(D) Integrating and coordinating services otherwise available to participants.

(E) Providing each participant with a written transitional independent living plan that will be based on an assessment of his or her needs, that includes information provided by persons who have been identified by the participant as important to the

1 participant in cases in which the participant has been in
2 out-of-home placement for six months or longer from the date the
3 participant entered foster care, consistent with the participant's
4 best interests, and that will be incorporated into his or her case
5 plan.

6 (F) Providing participants who are within 90 days of attaining
7 18 years of age, or older as the state may elect under Section
8 475(8)(B)(iii) of the federal Social Security Act (42 U.S.C. Sec.
9 675(8)(B)(iii)), including those former foster care youth receiving
10 Independent Living Program Aftercare Services, the opportunity
11 to complete the exit transition plan as required by paragraph (16)
12 of subdivision (f) of Section 16501.1.

13 (G) Providing participants with other services and assistance
14 designed to improve independent living.

15 (H) Convening persons who have been identified by the
16 participant as important to him or her for the purpose of providing
17 information to be included in his or her written transitional
18 independent living plan.

19 *(I) Providing financial literacy training, including, but not*
20 *limited to, banking, credit card interest rates, credit scores, the*
21 *importance of savings, and the effects financial decisions can have*
22 *on the participant's future.*

23 (2) Counties shall ensure timely and accurate data entry into
24 the Child Welfare Services/Case Management System (CWS/CMS)
25 for all youth receiving services pursuant to this section.

26 (3) Counties shall ensure that eligible foster care youth continue
27 to receive information about, and are provided with an opportunity
28 to complete, the National Youth in Transition Database (NYTD)
29 survey, based on an updated process that shall be developed jointly
30 by the department, in consultation with counties to ensure
31 maximum participation in the survey completion and compliance
32 with federal requirements, as follows:

33 (A) Counties shall provide information to the youth about the
34 NYTD survey within 60 days prior to the date the current or former
35 foster youth is required to be offered the survey.

36 (B) Within 45 days following the youth in foster care turning
37 17 years of age, counties shall ensure that each youth has an
38 opportunity to complete the NYTD survey as required by federal
39 law.

1 (C) Counties shall contact the youth who completed the survey
2 at age 17, in order to request that they complete the followup
3 survey before their 19th and 21st birthdays.

4 (D) Counties shall provide opportunities for current and former
5 eligible foster youth to take the NYTD survey online at child
6 welfare services and probation offices.

7 (c) The county department of social services in a county that
8 provides transitional housing placement services pursuant to
9 paragraph (2) of subdivision (a) of Section 11403.2 shall include
10 in its annual Independent Living Program report a description of
11 currently available transitional housing resources in relation to the
12 number of emancipating pregnant or parenting foster youth in the
13 county, and a plan for meeting any unmet transitional housing
14 needs of the emancipating pregnant or parenting foster youth.

15 (d) In consultation with the department, a county may use
16 different methods and strategies to achieve the standards and
17 outcomes of the Independent Living Program developed pursuant
18 to subdivision (a).

19 (e) In consultation with the County Welfare Directors
20 Association, the California Youth Connection, and other
21 stakeholders, the department shall develop and adopt emergency
22 regulations, no later than July 1, 2012, in accordance with Section
23 11346.1 of the Government Code that counties shall be required
24 to meet when administering the Independent Living Program and
25 that are achievable within existing program resources and any
26 federal funds available for case management and case plan review
27 functions for nonminor dependents, as provided for in the federal
28 Fostering Connections to Success and Increasing Adoptions Act
29 of 2008 (Public Law 110-351). The initial adoption of emergency
30 regulations and one readoption of the initial regulations shall be
31 deemed to be an emergency and necessary for the immediate
32 preservation of the public peace, health and safety, or general
33 welfare. Initial emergency regulations and the first readoption of
34 those regulations shall be exempt from review by the Office of
35 Administrative Law. The initial emergency regulations and the
36 first readoption of those regulations authorized by this subdivision
37 shall be submitted to the Office of Administrative Law for filing
38 with the Secretary of State and each shall remain in effect for no
39 more than 180 days.

1 (f) The department, in consultation with representatives of the
2 Legislature, the County Welfare Directors Association, the Chief
3 Probation Officers of California, the Judicial Council,
4 representatives of tribes, the California Youth Connection, former
5 foster youth, child advocacy organizations, labor organizations,
6 dependency counsel for children, juvenile justice advocacy
7 organizations, foster caregiver organizations, and researchers, shall
8 review and develop modifications needed to the Independent Living
9 Program to also serve the needs of nonminor dependents, as defined
10 in subdivision (v) of Section 11400, eligible for services pursuant
11 to Section 11403. These modifications shall include the exit
12 transition plan required to be completed within the 90-day period
13 immediately prior to the date the nonminor participant attains the
14 age that would qualify the participant for federal financial
15 participation, as described in Section 11403, pursuant to Section
16 675(5)(H) of Title 42 of the United States Code. Notwithstanding
17 the Administrative Procedure Act, Chapter 3.5 (commencing with
18 Section 11340) of Part 1 of Division 3 of Title 2 of the Government
19 Code, through June 30, 2012, the department shall prepare for
20 implementation of the applicable provisions of this section by
21 publishing all-county letters or similar instructions from the director
22 by October 1, 2011, to be effective January 1, 2012.

23 (g) Beginning in the 2011–12 fiscal year and for each fiscal
24 year thereafter, funding and expenditures for programs and
25 activities required under this section shall be in accordance with
26 the requirements provided in Sections 30025 and 30026.5 of the
27 Government Code.